



Crl.O.P.No.25202 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Section 379 of IPC in Crime No.332 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused while travelling in their motor cycle had snatched the mobile phone belonging to the *de-facto* complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that this is the 2nd petition for anticipatory bail and earlier anticipatory bail petition of the petitioner was dismissed on the ground that the petitioner has got 5 previous cases. He would further submit that out of 5 cases, 4 cases were registered for the offences under City Police Act and one case was registered for the offences under Section 506(ii) of IPC. The fact remains that the petitioner was called for enquiry and the petitioner have



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appeared for enquiry and later a false complaint has been given. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner was called for enquiry and he has appeared once and thereafter not appeared for enquiry. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Taking into consideration that the petitioner had already appeared for enquiry and only later had not appeared for enquiry, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned VII Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees



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Fifteen Thousand only) with two sureties (one among the sureties shall be either father or mother of the petitioner) each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.



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[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

31.10.2022

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